

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Social Welfare Department – Andhra Pradesh Social Welfare Residential Educational Institutions Society – Regularization of services of Sri.P.Rama Rao, PET (Retired) w.e.f. from 27-11-1995 instead of 31-10-2008 - Orders – Issued.

SOCIAL WELFARE (RS.1) DEPARTMENT

G.O.Ms.No.42

Dated: 11-12-2012

Read the following:-

1. G.O.Ms.No.212, Finance & Planning (FW.PC.III) Department, dated: 22-4-1994.
2. Order of the Hon'ble High Court of A.P. in W.P.No.23707/2008 dated: 31-10-2008.
3. G.O.Ms.No.28 Social Welfare (RS.1) Department Dated: 06-04-2010.
4. Orders of the Hon'ble High Court of A.P. in W.P.No.8137 of 2011 dated:12-10-2011.
5. From The Secretary, APSWREIS, Hyderabad Lr.Rc.No.G1/14850/2006, dated: 21-09-2011.
6. From the Secretary APSWREIS, Hyderabad Lr.Rc.No.C1 (P)/0964/2011, dated: 02-06-2012.

* * * * *

ORDER:-

In the G.O. 3rd read above the services of Sri.P.Rama Rao, PET., Adhoc Teacher were regularized as per G.O.Ms.No.212, Finance (FW.PC.III) Department, dated: 22-4-1994, from the date on which the Hon'ble High Court of A.P. delivered judgment, in W.P.No.23707/2008 i.e., dated: 31-10-2008 and accordingly his services were regularized w.e.f.31-10-2008 by the Secretary, APSWREIS, Hyderabad vide in his Procdgs.No.G1/14850/2006, dated: 05-05-2010.

2. Aggrieved by the above, Sri.P.Rama Rao filed another Writ Petition No.8137 of 2011 praying to regularize his services w.e.f.27-11-1995, and fix the pay in RPS 1993, 1999 and 2005 and to release the pensionary benefits.

3. The Hon'ble High Court of A.P. in the 4th read above in its order dated 12-10-2011 in W.P.No.8137 of 2011 while setting aside the G.O.Ms.No.28, SW (RS.1) Department, dated: 06-04-2010 made the following direction:

“The Writ Petition is allowed and in the impugned G.O. is set aside. Respondent No.1 is directed to pass fresh orders as regards the regularization of the services of the petitioner. It is made clear that in case a futile exercise similar to the one under the impugned G.O. is undertaken, this Court would be left with no alternative, but to express its view as to the functioning of the Officer concerned. There shall be no order as to costs.”

4. In the reference 5th read above, The Secretary, APSWREIS, Hyderabad has stated that Sri.P.Rama Rao, PET (Retd) is entitled for regularization of his services w.e.f. 27-11-1995 i.e., the date of regularization of services of other adhoc teachers/Daily wage employees, whose regularization of services were considered by the Government vide G.O.Ms.No.124, dated: 27-11-1995 and requested the Government to regularize the services of Sri.P.Rama Rao PET (Retd) w.e.f. 27-11-1995 instead of 31-10-2008 as he was fully qualified for

regularization in terms of G.O.Ms.No.212 Finance (FW.PC.III) Department:
Dated: 22-04-1994.

5. Government after careful examination of the matter and keeping in view of the orders of the Hon'ble High Court of A.P. in W.P.No.8137 of 2011 dated: 12-10-2011 and as per the legal opinion of the Standing Counsel of the APSWREIS that it is not a fit case for filing Writ Appeal and as per the recommendation of the Secretary, APSWREIS, Hyderabad hereby decided to regularize the service of Sri.P.Rama Rao, PET (Retd) as per G.O.Ms.No.212 Finance (FW.PC.III) Department, dated: 22-04-1994 on par with other adhoc teachers / Daily wage employees, whose regularization of services was considered by the Government vide G.O.Ms.No.124, SW (K) Department, dated: 27-11-1995, w.e.f.27-11-1995 instead of 31-10-2008 as a special case to avoid legal complications and this should not be a precedent case to others in future, duly cancelling the G.O.Ms.No.28 Social Welfare (RS.1) Department Dated: 06-04-2010.

6. This order issues with the concurrence of the Finance (PC-III) Department, vide their U.O.No.17764-A /252 /A1 /PC-III /2012 dated: 6-07-2012.

7. The Secretary, APSWREIS, Hyderabad is requested to take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

**J.RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Secretary, APSWREI Society, A.P., Hyderabad.
The individual through Secretary, APSWREIS. Hyderabad.

Copy to:-

The PS to Hon'ble Minister (Social Welfare)
The PS to Principal Secretary (Social Welfare)
The Finance (PC.III) Department.
SC/SF.

FORWARDED :: BY ORDER //

SECTION OFFICER